

## COLOR KEY

Black – Original Language

~~Strikethrough~~ – Proposed deleted language

Red – Proposed language at 3/21/16 Meeting

Blue – Updated proposed language since 3/21/16 Meeting

Green – Updated proposed language since 4/4/16 Meeting

## Chapter 189

### PARKS AND RECREATION AREAS

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[HISTORY: Adopted by the Town Council of the Town of Rocky Hill 1-6-1992 by Ord. No. 173-92. Amendments noted where applicable.]

#### GENERAL REFERENCES

Department of Parks and Recreation – See Charter, §C7-5.

Director of Parks and Recreation – See Ch. 38, Art. V.

Alcoholic beverages – See Ch. 77

Animals – See Ch. 83.

Littering – See Ch. 168.

Peddling and soliciting – See Ch. 193.

Fees – See Ch. A249.

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#### **§189-1. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

**ALCOHOLIC BEVERAGE** – This includes all varieties of liquor including alcohol, beer, spirits, and wine and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being for beverage purposes.

**ATHLETIC FIELD** – The portion of a recreational area that is set up and marked in some way for the playing of one or more specific games or sports (such as but not limited to baseball, lacrosse, football, or soccer), and that is owned or operated by the Town and open to the general public. For the purposes of this Chapter, a playing field that is fenced or the outside perimeter of which is otherwise physically demarcated shall be deemed to include all of the area inside such fence or demarcation, together with any bleachers or other designated viewing area; a playing field that is not fenced or otherwise demarcated (as to its outside perimeter) shall be deemed to

include all of the area customarily required for playing the game for which it is being used, together with any bleachers or other designated viewing area.

EVENTS – Any public or private function held on the grounds of a park, which may include the lawn area, pavilion, recreational facility or other amusement area of the park.

PARK – Any property owned, managed, or controlled by the Town and designated as a park. The term “park” does not include any street maintained by the Town, unless the street is located in such a park.

PARKS AND RECREATION DEPARTMENT – The governing Town department for parks and recreation and individuals appointed by the Department as its authorized agents.

PERMIT – A document signed by any authorized agents including but not limited to the Town Manager, Director of Parks and Recreation, or their designee, which grants a person(s) permission to use town property for a public or private event, or authorization for an act which may be prohibited otherwise.

PUBLIC EVENT – An event which is open to and may be attended by the general public, including but not limited to, such events as concerts, fairs, movies, festivals, parades, performances, and other exhibitions or activities, regardless of any fee or age requirement.

PUBLIC GROUNDS – Those areas owned by or under the control of the Town of Rocky Hill or customarily used by the general public. This includes the property of any Town-owned buildings.

RECREATION AREA OR FACILITY – Any public or private area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, athletic fields, courts, playgrounds, parks, swimming pools, and trails.

## **§189-2. Hours.**

A. Parks shall be open to the public every day of the year from sunrise to sunset unless otherwise designated by the Director of Parks and Recreation. Any person in the following parks: 1) Dividend Pond Trails and Archaeological District; 2) Quarry Park; 3) Bulkley Park; 4) Shipyard Park; and 5) Any other park as determined by the Director of Parks and Recreation; from thirty (30) minutes after sunset to thirty (30) minutes before sunrise, except as permitted, shall be subject to the penalty provided in §189-7 of this chapter.

Maxwell Park shall be open during the hours of sunrise until 10:00 p.m.

Ferry Park shall be open during the hours of sunrise until 10:00 p.m.

Elm Ridge Park shall be open during the hours of sunrise until 11:00 p.m. The Amphitheatre and surrounding property shall be open during the hours of sunrise to sunset, unless a Town sanctioned event is occurring.

- B. The Town Manager and/or the Director of Parks and Recreation shall have the discretion to post more restrictive hours if they have reason to believe the hours listed in §189-2A endangers the safety of the public.
- C. The Parks and Recreation Department may close any park, field, or public grounds when their use would endanger the safety of the public or for any other circumstance in which the Director of Parks and Recreation deems necessary.
- D. Any person who violates any provision of this section shall be subject to the penalty provided in §189-7 of this chapter.

**§189-3. Prohibited Acts.**

The following acts by all persons, except when being performed by officials or employees of the Town in the course of their duties, or by independent contractors engaged by the Town for such purpose, or unless otherwise permitted in a public place in accordance with Park Rules and Regulations and ordinances, shall be prohibited in or on any town property including but not limited to, parks, public grounds, recreation facilities and school property in the Town of Rocky Hill:

- A. Parking or driving of motor vehicles, including motorcycles, on grassed areas unless otherwise directed. ~~permitted by the Director of Parks and Recreation, Police Department, or any other authorized agent.~~
- B. Driving at rates of speed in excess of the posted limits.
- C. ~~At Ferry Park, consuming alcoholic beverages without express written permission or without obtaining a beer or wine permit.~~ ~~Possessing or~~ No person shall consume ~~ing~~ alcoholic beverages or ~~to be intoxicated~~ under the influence of alcohol. ~~The possession and/or consumption of alcoholic beverages are~~ is not permitted unless a permit has been granted and signed by the Town Manager for an approved sanctioned event.
- D. No person shall be under the influence of any drug, or ~~inhale-ing, exhale-ing, burn-ing~~ or carry ~~ing~~ any lighted or heated cigar, cigarette, pipe or any other lighted or heated tobacco or product intended for inhalation, including hookahs and the use of any cannabis-type substance including marijuana, as defined in Connecticut General Statutes Section 21a-240, whether natural or synthetic, in any manner or in any form. The use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking is also prohibited.
- E. Discharging or carrying ~~firearms or~~ fireworks, except that this prohibition shall not apply to the display of fireworks approved by the ~~Director of Parks and Recreation-Director.~~ [Amended 6-17-2002 by Ord. No. 208-02]
- F. Operating snowmobiles, minibikes, go-carts and ATVs.

- G. Damaging, defiling, writing upon or cutting any building, structure, monument, seat, fence or gate, or part thereof; damaging trees, shrubs or turf areas in any manner.
- H. Defacing, **removing or destroying** any posted signs or notices.
- I. Soliciting subscriptions or contributions without expressed written permission, unless approved by the Parks and Recreation Director. **[Amended 6-17-2002 by Ord. No. 208-02]**
- J. Horseback riding, except in specified areas.
- K. Using tennis courts for playing street hockey.
- L. **Occupancy of any pavilion, athletic field, or town property during the specified date and time that is already in use by a permit holder.**
- M. Misusing or abusing any property.
- N. Posting or displaying any sign, placard, tag or advertising device without a permit issued by the Parks and Recreation Director. **[Amended 6-17-2002 by Ord. No. 208-02]**
- O. Selling, offering or exposing for sale any goods or wares, except under written permit issued by the Parks and Recreation Director. **[Amended 6-17-2002 by Ord. No. 208-02]**  
~~Entering, loitering or being in any such area after dark unless a later time shall be established by permission, except Elm Ridge, which is governed by the Park Rules and Regulations.~~
- P. **Engaging in loud, boisterous, threatening, abusive, insulting or indecent language or engaging in any disorderly conduct or behavior tending to a breach of the public peace.**
- Q. Playing or practicing golf unless authorized by the person or agency in charge.
- R. **Dogs are regulated by Chapter 83 of the Code of Rocky Hill. As provided in §83-9A, dogs must be attached to a secure leash not to exceed eight feet in length held continuously in the hands of a responsible person capable of controlling it, except within the confinement of the dog park. All dogs entering the dog park must display a valid license and up-to-date rabies vaccination tag. Owners must clean up after their dogs and dispose of properly.**
- S. The playing of car stereos, CD players and other such electronic equipment shall be in conformance with the Parks Rules and Regulations. **[Added 6-17-2002 by Ord. No. 208-02]**
- T. The use and/or possession of **a firearms and electronic defense weapons, as defined by CGS §53A-3. Airsoft guns, paintball guns, sling shots, blow guns, bow and arrow, crossbows and/or any other device(s) intended to shoot, propel, or move a shot, bullet-like, or projectile object are also prohibited. Any accessory which can be used with including but not limited to any of the aforementioned devices** is hereby prohibited in any park either owned or maintained by the Town of Rocky Hill, and any damages cause by any person using said **devices and/or accessories** shall be the responsibility of said person, or his/her parent/guardian in the case of minors. ~~paintball gun and/or accessories used with a paintball gun is hereby prohibited in any park either owned or maintained by the Town of Rocky Hill, and that any damages caused by any person using said paintball gun shall be the~~

~~responsibility of said person, or his/her parents/guardian in the case of minors.~~ [Added 4-29-2009 by Ord. No. 247-09]

**§189-4. Rules and regulations.**

The Director of Parks and Recreation, with the approval of the Parks and Recreation Advisory Board, shall make rules for the use of parks, public grounds and recreation facilities according to §C7-5 of the Town Charter and not in conflict with this Chapter or State Statutes, which rules shall have the force of law.<sup>1</sup>

**§189-5. Permits.**

To the extent allowed by the ordinances, Parks, Facilities and Fields Use Policy, and Park Rules and Regulations, an area in a public place, together with the facilities situated in such area, may be reserved for the exclusive use of any person for the uses prohibited under §189-2 provided a permit is obtained from the Director of Parks and Recreation.

- A. Application. A person seeking issuance of a permit hereunder shall file an application, together with any applicable fees in accordance with the Parks, Facilities and Fields Use Policy adopted by the Parks and Recreation Department.
- B. Standards of issuance. The Director of Parks and Recreation or authorized agent may issue a permit hereunder provided the Director finds that the proposed activity or use:
  - a. Will not unreasonably interfere with or detract from the general public's enjoyment of the public place;
  - b. Will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
  - c. Is not unreasonably anticipated to incite violence, crime or disorderly conduct;
  - d. Will not entail unusual, extraordinary or burdensome expense to the Town for police supervision;
  - e. Will not interrupt an established schedule for Town-sponsored recreational activities or that the facilities desired have not been reserved for other use at the date and hour requested in the application; and
  - f. Will not damage the natural flora or fauna.
- C. Effect of permit. A permittee shall be bound by all Park Rules and Regulations, the Parks, Facilities and Fields Use Policy and all ordinances fully as though the same were inserted in said permits. Failure to produce any permit upon request will nullify existence of said permit.

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<sup>1</sup> Editor's Note: The park rules and regulations are on file in the Department of Parks and Recreation.

D. Please refer to the Parks, Facilities and Fields Use Policy, Procedures for Park Use, Park Rules and Regulations, and ordinances for additional information.

**§189-6. Motor vehicle violations. [Amended 9-2-2003 by Ord. No. 216-03]**

Any act that constitutes a violation of the Motor Vehicle Code shall constitute a violation of the Chapter. Any act that constitutes a violation of the Water Safety (Boating) Code shall constitute a violation of the Chapter.

**§189-7. Penalties for offenses. [Amended 9-2-2003 by Ord. No. 216-03; 4-29-2009 by Ord. No. 247-09]**

Violations of ~~§189-2~~ of this Chapter shall be punishable by a fine of \$~~50~~99 per day per offense, **unless otherwise specified**. Each day's violation shall constitute a separate offense. ~~With regard to the use of paintball guns, each minor using a paintball gun under the supervision of an adult shall be considered a separate offense.~~ **In the event a minor is found in violation of this ordinance, enforcement of said violation may result in a Juvenile Summons or appearance before the Juvenile Review Board.**